

## LABOUR AND EMPLOYMENT DEPARTMENT

The 9th August, 1979

No. 10(120)-78-5Lab.—In exercise of the powers conferred by section 87 read with section 91A of the Employees State Insurance Act, 1948, the Governor of Haryana hereby renews the exemption to every factory situated in the following areas from the operation of the provisions of Chapter IV (except sections 44 and 45), Chapter V and Chapter VI (except sub-section 1 of section 76, sections 77, 78, 79 and 81 of the said Act, granted,—*vide* Haryana Government Labour Department Notification, No. 8877-5Lab-77/27904-A, dated the 31st October, 1977 for a further period of one year from the 21st August, 1978 to 20th August, 1979.

Serial Number	Village	Hadbast No.	District
1.	Rajipur Jhajra	108	Ambala
2.	Surajpur	109	Do

The 4th September, 1979

No. 12(329)-78-Lab.—The Governor of Haryana is pleased to dissolve the District Committee on Employment, Rohtak constituted,—*vide* notification No. 12(329)-78-6Lab, dated 26th April, 1979 with immediate effect.

H. L. GUGNANI, Secy.

## LABOUR DEPARTMENT

The 4th September, 1979

No. 11(112)-79-3 Lab/8772.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Subhash Flour Mills, Tirath Market, Sonepat.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 295 of 1978

between

SHRI HAWA SINGH, WORKMAN AND THE MANAGEMENT OF M/S SUBHASH FLOUR MILLS, TIRATH MARKET, SONEPAT

Present :—

No one for the workman.

Shri Krishan Chauhan for the management.

## AWARD

By order No. ID/SPL/106-78/47561, dated 20th October, 1978, the Governor of Haryana referred the following dispute between the management of M/s Subhash Flour Mills, Tirath Market, Sonepat and its workman Shri Hawa Singh to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of the service of Shri Hawa Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed their pleading and on the basis of the pleading of the parties the following issue was framed by learned predecessor :—

Whether the termination of services of Shri Hawa Singh was justified and in order ? If not, to what relief is he entitled ?

And the case was fixed for evidence of the management. The management produced letter written by the workman dated 14th April, 1979 in which he stated that he has settled his claim with the management and wanted this case to be dismissed. The representative of the workman was directed to produce the workman in this court on 5th June, 1979 to confirm or deny the letter. The workman was not produced on 5th June, 1979 and I again adjourned the case for 3rd July, 1979, for producing the workman. On 3rd July, 1979 even the representative of the workman who was present on the last two dates did not appear before me and I ordered *ex parte* proceedings against the workman. Statement of Shri Krishan Chander partner was recorded who exhibited the settlement letter dated 14th April, 1979 as Ex. M-I and stated that the workman is not forthcoming because of the settlement. In these circumstances I answer this reference and given my award that the termination of service of the workman was justified and in order, and he is not entitled to any further relief.

Dated 31st July, 1979.

BABU RAM GOYAL,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endorsement No. 1880, dated 31st August, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(12)-79-3Lab/8775.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Hari Palace, Ambala City.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK.

Reference No. 143 of 1977

*between*

SHRI CHANDER PARKASH, WORKMAN AND THE MANAGEMENT OF M/S HARI  
PALACE, AMBALA CITY

Present :

Shri Chander Parkash workman in person.

Shri P. P. Khurana, for the management along with Shri Prem Chand, Manager of the management.

#### AWARD

By order No. ID/FD/25398-401, dated 5th July, 1977, the Governor of Haryana referred the following dispute between the management of M/s Hari Palace, Ambala City and its workman Shri Chander Parkash to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of Industrial Disputes Act, 1947 :—

Whether the termination of service of Shri Chander Parkash was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed their pleadings and on the pleadings of the parties the following issues were framed by my learned predecessor on 30th June, 1978 :—

1. As per reference.

And fixed the case for evidence of the parties on 28th August, 1978. The evidence of the management did not come and on 23rd October, 1978 my learned predecessor closed the evidence of the management

and fixed the case for evidence of the workman. But by his order dated 20th December, 1978 my learned predecessor again allowed the management to produce their evidence of payment of cost and the management produced their evidence on 20th March, 1979, and after the closing of management's evidence fixed the case for evidence of the workman on 26th June, 1979. The workman appeared and made the following statement :—

"I have shifted from Ambala Cantt to Jullundur and I am not interested in my reinstatement. This reference may be treated as filed. I do not want to get myself reinstated."

In view of the statement of the workman I answer this reference and give my award that the termination of service of the workman was justified and in order and he is not entitled to any further relief.

Dated 21st July, 1979.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endorsement No. 1878, dated 7th August, 1979.

Forwarded (four copies) to the Secretary, to Government of Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)-79-3Lab/8775-A.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Surinder Rolling Mills, near Shadi Metal Works, behind Ram Lila Ground, Jagadhri :—

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK.

Reference No. 278 of 1978

between

SHRI JIT RAM, WORKMAN AND THE MANAGEMENT OF M/S SURINDER ROLLING MILLS, NEAR SHADI METAL WORKS, BEHIND RAM LILA GROUND, JAGADHRI

Present—

No one for the workman.

Shri Subhash Chander for the management.

#### AWARD

By order No. ID/Ymn/82-78/43835, dated 4th October, 1978, the Governor of Haryana referred the following dispute between the management of M/s Surinder Rolling Mills, near Shadi Metal Works, behind Ram Lila Ground, Jagadhri and its workman Shri Jit Ram to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Jit Ram was justified and, in order ? If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties. The parties appeared before me and the workman filed his claim statement. The management settled the claim with the workman and produced his letter dated 21st February, 1979 wherein the workman had written that the workman has settled his claim with the management. The case was adjourned for confirmation and verification of the letter by the workman to be done on 25th April, 1979. The workman did not appear on 25th April, 1979 and on the request of Shri Surinder Kumar representative of the workman the case was adjourned to 25th May, 1979 when no one appeared on behalf of the workman and I passed the following orders :—

Present—

No one for the Workman.

Shri Subhash Chander for the management.

The workman has sent letter dated 21st February, 1979 wherein he has stated that he has settled his case with the management and does not want to pursue this case which may be filed.

In view of the circumstances I answer this reference and give my award that the termination of the services of workman was justified and in order and the workman is not entitled to any further relief.

BABU RAM GOYAL,

Dated 21st July, 1979.

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endst. No. 1877, dated 7th August, 1979.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)-79-3 Lab/8776.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Industrial Cable (India) Ltd., Lal Chand Nagar, Kila Zagargarh, District Jind (Haryana) :—

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 166 of 1978

between

SHRI RANDHIR SINGH, WORKMAN AND THE MANAGEMENT OF M/S INDUSTRIAL CABLE (INDIA) LTD., LAL CHAND NAGAR, KILA ZAGARGARH, DISTRICT JIND.  
(HARYANA)

Present:—

Shri Chander Singh alongwith the workman.

Shri C. M. Lal, along with B.D. Gulati, Factory Manager, for the management.

#### AWARD

By order No. ID/KNL/43-78/33505, dated 18th July, 1978, the Governor of Haryana referred the following dispute between the management of M/s Industrial Cable (India) Ltd., Lal Chand Nagar, Kila Zagargarh, District Jind and its workman Shri Jai Ram to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

“Whether the termination of services of Shri Randhir Singh was justified and in order?  
If not, to what relief is he entitled?

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed their pleadings and on the basis of their pleadings the following issues were, framed by my learned predecessor on 20th September, 1978 :—

1. Whether the termination of services of the workman was justified and in order?
2. If not, to what relief is he entitled ?

And fixed the case for evidence of the management. The management produced their part evidence on 10th May, 1979. However when the case was taken up on 12th July, 1979 for further evidence of the management the parties arrived at a settlement and their statements were recorded, which are reproduced below :—

#### Statement of Shri Randhir Singh, Workman :—

The management has agreed to reinstate me on the post of Peon at wages which I was drawing at the time of termination of my services with effect from 14th July, 1979 (After noon) with

25 per cent of back wages. In view of this settlement no other claim for the period from the date of my termination till 14th July, 1979 will remain outstanding with the management. This reinstatement will have continuity of service. This reference may be settled accordingly.

**Statement of Shri B. D. G Iatl, Factory Manager for the respondent.**

I have heard the statement of workman Shri Randhir Singh he will be taken on duty with effect from 14th July, 1979 (After noon) at the wages which he was drawing at the time of termination of his services and he will be paid 25 per cent of his back wages with continuity of service. The settlement have taken place as the workman has agreed to work as peon and he will not raise any claim in respect of the period from the date of termination to 14th July, 1979.

In view of the statement of the parties, I answer this reference and while giving my award make the statements of the parties a part of my award. The workman will be treated to have been reinstated with effect from 14th July, 1979 (After noon) on the post of peon on the same wages which he was drawing at the time of termination of his services and in respect of the period from the date of his termination to 14th July, 1979 he will be paid 25 per cent of his back wages with continuity of service.

Dated, the 28th July, 1979.

**BABU RAM GOYAL,**

Presiding Officer,  
Labour Court, Haryana.  
Rohtak.

Endst. No. 1876, dated the 7th August, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

**BABU RAM GOYAL,**

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

**No. 11(112)79-3Lab/8781.**—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the Management of M/s Parkash Tubes Ltd., Rohtak-Delhi Road, Bahadurgarh:—

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA  
ROHTAK

**Reference No. 163 of 1978**

*between*

**SHRI JAI RAM, WORKMAN AND THE MANAGEMENT OF M/S PARKASH TUBES LTD.,  
ROHTAK-DELHI ROAD, BAHADURGARH**

*Present:—*

Shri Rajinder Singh for the workman.

Shri C. L. Aggarwal for the management.

**AWARD**

By order No. ID/RTK/48-78/33547, dated 13th July, 1978, the Governor of Haryana referred the following dispute between the management of M/s Parkash Tubes Ltd., Rohtak-Delhi Road, Bahadurgarh and its workman Shri Jai Ram, to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of service of Shri Jai Ram was justified and in order? If not, to what relief is he entitled?

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed by my learned predecessor on 21st September, 1978:—

1. Whether the management has been described by wrong name? If so, to what effect?
2. Whether there is relation of master and servant between the parties at the relevant period?
3. Whether there is no cause of action?
4. If the workman is found to be in the employment of the management whether the termination of service of the workman was justified and in order?
5. If not to what relief is he entitled?

And fixed the case for the evidence of the parties. The parties arrived at a settlement under section 18 (1) of the Industrial Disputes Act before the Labour Inspector on 8th June, 1979 and made the following statement:—

**Statement of Shri Rajinder Singh, Authorised Representative of the Workman.**

The workman has settled his case with the management and received Rs. 1,100/- in full and final settlement of his claim. He withdraws his case for reinstatement and this reference may be filed.

**Statement of Shri C. L. Aggarwal**

"I have heard the statement of Shri Rajinder Singh. The settlement, dated 8th June, 1979 photo-copy Ex. M-1 and receipt Ex. M-2 are correct according to the original settlement with me. The workman has settled his case. No dispute award may be given."

In view of the statements of the parties, I answer this reference and give my no dispute award in view of the statement of claim of Rs. 1,100 received by the workman in full and final settlement of the claim.

**BABU RAM GOYAL,**

Dated the 27th July, 1979.

Presiding Officer,  
Labour Court, Haryana.  
Rohtak.

Endorsement No. 1871, dated 7th August, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

**BABU RAM GOYAL,**

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)-79-3Lab/8782.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the Management of M/s Shree Mad Dayanand Dharamarth Hospital, Rohtak:—

**BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,  
ROHTAK**

**Reference No. 269 of 1978**

*between*

**SHRI KUNDAN LAL WORKMAN AND THE MANAGEMENT OF M/S SHREE MAD  
DAYANAND DHARMARTH HOSPITAL, ROHTAK**

*Present:—*

Shri Kundan Lal workman in person along with Shri S. N. Vats.

Shri S. D. Chawla for the management.

## AWARD.

By order No. ID/R.K/436-77/42315, dated 19th September, 1979, the Governor of Haryana referred the following dispute between the management of M/s. Shree Mad Dayanand Dharmarth Hospital, Rohtak and its workman Shri Kundan Lal to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of service of Shri Kundan Lal was justified and in order ? if not, to what relief is he entitled ?

On receipt of order of reference, notice were issued to the parties. The parties appeared and filed their pleading and on the pleadings of the parties the following issues were framed by my learned predecessor on 2nd January, 1979.

1. Whether Shri Subhash Batra the Advocate is legally competent to appear for the management (OPM)
2. Whether the said Hospital is not an industry under the I. D. Act ?
3. Whether termination of service of the workman was justified and in order ?
4. If not, to what relief is he entitled ?

And fixed the case for evidence of the management. The management produced their evidence on 26th March, 1979. After two adjournments the parties settled their case mutually and made their statements on 3rd July, 1979, as under:-

**Statement of Shri Kundan Lal, workman.**

I have agreed to receive Rs. 300/- from the management, in respect of termination my service as compensation. On receipt of this amount no claim in respect of this reference will remain outstanding with the management.

**Statement of Sh. S.D. Chawla, Chairman of the management hospital**

I have settled the claim of the workman in consideration of payment of Rs. 300/- This amount will be paid to the workman in cash on 15th July, 1979. After payment of this amount the claim of the workman will stand settled.

In view of the statements of the parties I answer this reference and give my award that the parties have settled their case in consideration of payment of Rs. 300/- by the management to the workman the dispute stands settled with the parties and the workman is not entitled to any further relief.

Dated 21st July, 1979

**BABU RAM GOYAL,**

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endst. No. 1883, dated 7th August, 1979

Forwarded (Four Copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

**BABU RAM GOYAL,**

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

**No. 11(112)-79-3Lab/8783.**—In pursuance of the provisions of section 17 of the Industrial Disputes, Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Allied Metal Product Gandhi Marg, Jagadhi.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 110 of 1979

*between*

SHRI MADHO RAM, WORKMAN AND THE MANAGEMENT OF M/S. ALLIED METAL PRODUCT, GANDHI MARG, JAGADHRI

*Present:*—Shri Surinder Kumar, for the workman.

Shri Subash Chander, for the management.

**AWARD**

By order No. ID/Amb/45-79/21859, dated 18th May, 1979, the Governor of Haryana referred the following dispute between the management of M/s. Allied Metal Product, Gandhi Marg, Jagadhri, and its workman Shri Madho Ram to this Court, for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of the services of Shri Madho Ram was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed a statement Ex. W-1 and Shri Surinder Kumar, representative of the workman made the following statement on 28th June, 1979.

**Statement of Shri Surinder Kumar, Representative of the workman**

A settlement Ex. W-1 has been arrived at between the parties. The management has given a cheque for Rs. 1632.77 to the workman in full and final settlement of his claim against the management. This reference may be filed.

In view of the settlement arrived at between the parties I answer this reference and give my award that termination of the service of the workman is justified and in order and he is not entitled to any further relief.

Dated 21st July, 1979.

**BABU RAM GOYAL,**  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endst. No. 1881, dated 7th August, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

**BABU RAM GOYAL,**  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No.11(112)79-3Lab/8784.—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Oberoi Metal Industries, Jagadhri.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICE, LABOUR COURT, HARYANA, ROHTAK

Reference No. 46 of 1978

*between*

SHRI MOHINDER SINGH WORKMAN AND THE MANAGEMENT OF M/S. OBEROI METAL INDUSTRIES, JAGADHRI

*Present:*—

Shri Surinder Kumar, for the workman.

No. one for the management.

## AWARD

By order No. ID/Amb/8/78/9593, dated 3rd March, 1978, the Governor of Haryana referred the following dispute between the management M/s. Oberoi Metal Industries, Jagadhri and its workman Shri Mohinder Singh to this court, for adjudication in exercise as the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

"Whether the termination of service of Shri Mohinder Singh was justified and in order? If not, to what relief is he entitled?"

On receipt of order of reference, notices were issued to the parties. The workman appeared but the notice issued to the management was received back with the report "left without address". Notices were issued to the management for 26th April 1978, 28th June, 1978, 22nd November, 1978, 21st December, 1978, 24th January, 1978, 20th March, 1979, etc., but the service could not be effected on the management. On 20th March 1979 the representative of the workman stated that the workman has settled his claim with the management and he has received his dues and does not want to pursue the case. I adjourned the case for producing of the workman. Three adjournments were granted and the case was fixed for 28th June, 1979, and no one appeared on behalf of the workman even. In this circumstances I have been left with no alternative but to dismiss this case for non-prosecution by the workman himself. In these circumstances I return this reference without giving any award. The same has been dismissed in default for non-prosecution by the workman.

Dated, the 31st July, 1979.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endst. No. 1884, dated the 7th August, 1979.

Forwarded (Four Copies) to the Secretary to Government of Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Dispute Act, 1947.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)79-3Lab-8786.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak, in respect of the dispute between the workman and the management of M/s S. K. Industries (Chappal Factory) Shivaji Colony, Circular Road, Rohtak.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 17 of 1979

Between

SHRI JAGDISH YADAV WORKMAN AND THE MANAGEMENT OF M/S S. K. INDUSTRIES  
(CHAPPAL FACTORY) SHIVAJI COLONY, CIRCULAR ROAD, ROHTAK.

Present: Shri Balwant Singh, for the workman.

No. one for the management.

## AWARD

By order No. ID/RTK/7-79/3132, dated 19th January, 1979. The Governor of Haryana referred the following dispute between the management of M/s S. K. Industries (Chappal Factory) Shivaji Colony, Circular Road, Rohtak, and its workman Shri Jagdish Yadav to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

"Whether the termination of services of Shri Jagdish Yadav was justified and in order? If not, to what relief is he entitled?"

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. But when the case was fixed for filing rejoinder by the workman Shri Balwant Singh representative of the workman made the following statement on 5th July, 1979:—

Statement of Shri Balwant Singh, representative of the workman.

In spite of adjournment for filing rejoinder the workman is not coming and has gone to Bihar i.e. to his native place and he has no instructions. In view of the written statement filed by the management, the representative of the workman is not in a position to pursue this reference and same may be filed.

In view of the statement of the representative of workman I return this reference without giving any award and treat this reference to have been dismissed in default on account of non- prosecution of the case by the workman.

BABU RAM GOYAL,

Dated the 21st July, 1979.

Presiding Officer,  
Labour Court, Haryana, Rohtak.

Endst. No. 1882, dated the 7th August, 1979

Forwarded (four copies) to the Secretary to Government to Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,

Presiding Officer,  
Labour Court, Haryana, Rohtak.

No. 11(112)-3Lab-8787.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Barara Co-operative Marketing Cum Processing Society Limited Barara, District Ambala.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK.

Reference No. 85 of 1979

SHRI GIRDHARI LAL WORKMAN AND THE MANAGEMENT OF M/S THE BARARA CO-OPERATIVE MARKETING CUM PROCESSING SOCIETY LIMITED BARARA, DISTRICT AMBALA.

Present :—

Shri Rajeshwar Nath for the applicant.

No one for the respondent management.

#### AWARD

By order No. ID/Amb/24-79/15433, dated 6th April, 1979, the Governor of Haryana referred the following disputes between the management of M/s The Barara Co-operative Marketing Cum Processing Society Limited Barara, District Ambala and its workman, Shri Girdhari Lal to this Court, for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 ;—

Whether the termination of services of Shri Girdhari Lal was justified and in order? If not, to what relief is he entitled?

On receipt of order of reference, notices were issued to the parties. The workman appeared and the management did not appear inspite of service of notices and therefore, ex parte proceedings was ordered against the management on 22nd May, 1979. The workman filed his claim statement and appeared as WW-I and stated that he was employed as a driver with the respondent concerned at Rs 510/- per month at the time of his illegal termination on 11th September, 1978. No enquiry was conducted and no show cause notice was given to him. He raised demand notice which is exhibited at Exhibit W-1 and report of the Conciliation Officer is Exhibit W-2 and on the refusal of the management the case was referred to this Court. He exhibited letter of termination of his service as Exhibit W-3 and also produced a certificate from Chief Medical Officer, Ambala showing his age as 52 years which is Exhibit W-4 and also produced a letter dated 9th September, 1978 Exhibit W-5 sent by him in reply to the termination letter. He prayed for re-instatement with full back wages. He also produced another witness Shri Jaspal Singh who is also an employee of the Barara Coop. Marketing Cum-processing Society, Barara, who stated that the workman concerned was employed with the respondent as a driver since 1973. The management terminated the service of the workman w.e.f. 11th September, 1978 in accordance with their resolution No. 14 on dated 11th August, 1978 wherein the workman was required to submit proof of his age failing which services will be terminated w.e.f. 11th September, 1978. The reply submitted by the workman is that he received a letter demanding proof of age on 9th September, 1978 and intimated on 9th September, 1978 that his date of birth was 22nd November, 1926. But he could not submit any proof as he was born in Pakistan. This letter is signed by a receipt clerk in token of receipt of the letter. In view of the ex parte evidence produced before me I have no alternative but to believe in the evidence

produced by the workman and answer the reference and give my award that the termination of service of the workman was not justified and in order. The service of the workman was terminated with effect from 11th September, 1978 but he raised the demand on 2nd January, 1979 and did not agitate his claim for more than three months, which has resulted in un-necessary delay of the reference. In these circumstances of this case I order re-instatement of the workman with continuity of service but at only 50 per cent of his back wages, subject to his submitting medical fitness certificate from the Chief Medical Officer, Ambala that he is physically fit to work as a driver.

**BABU RAM GOYAL,**

Dated the 31st July, 1979.

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endorsement No. 1861, dated the 7th August, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

**BABU RAM GOYAL,**

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)79-3Lab/8813.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the Management of M/s Chhabra Industries, C-21, Industrial Estate, Bahadurgarh.

**BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,  
ROHTAK**

Reference No. 56 of 1979

*between*

**SHRI RAM CHANDER, WORKMAN AND THE MANAGEMENT OF M/S CHHABRA  
INDUSTRIES, C-21, INDUSTRIAL ESTATE, BAHADURGARH (ROHTAK)**

*Present.—*

Shri Rajinder Singh, for the workman.

Shri M. M. Kaushal, for the management.

#### AWARD

By order No. ID/RTK/28-79/10921, dated 7th March, 1979, the Governor of Haryana referred the following dispute between the management of M/s Chhabra Industries, C-21, Industrial Estate, Bahadurgarh and its workman Shri Ram Chander to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of service of Shri Ram Chander was justified and in order ?  
If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed their pleadings but obtained a date for settlement. After some adjournments they filed settlement, dated 16th March, 1979. As the settlement was dated 16th March, 1979 and the claim statement was filed by the workman on 13th April, 1979. The parties were directed to clarify their position. On 12th July, 1979 Shri Rajinder Singh, representative of the workman made the following statement :—

“The workman has settled his claim with the management by settlement, dated 16th March, 1979 which is Ex. M-1. No dispute remains outstanding with the management and the reference may be filed.”

In view of this statement I answer this reference and give no dispute award.

**BABU RAM GOYAL,**  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Dated 28th July, 1979.

Endorsement No. 1867, dated 7th August, 1979,

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of Industrial Disputes Act, 1947.

BABU RAM GOYAL,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)79-3Lab/8814.—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947, (Act No. XIV of 1947), the Governor of the Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Gedore Tool India, Pvt. Ltd., Kundli (Sonepat).

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 70 of 1977

between

SHRI JAI RAM, WORKMAN AND THE MANAGEMENT OF M/S. GEDORE TOOLS PVT.  
LTD., KUNDLI SONEPAT.

Present:—

Shri Jai Ram, workman in person with Shri S. N. Solankhi

Shri S. C. Malik, along with Shri S. S. Sethi for management.

#### AWARD

By order No. ID/RK/36S-A-77-23579, dated 17th June, 1979, the Governor of Haryana referred the following dispute between, management of M/s. Gedore Tools India Pvt. Ltd. Kundli, (Sonepat) and its workman Shri Jai Ram to this court, for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Jai Ram was justified and in order ? If not, to what relief is he entitled ?”

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed their pleadings and on the pleadings of the parties the following issues were framed by me on 28th March, 1979.

1. Whether the termination of services of Shri Jai Ram was justified and in order ?

2. If not to what relief is he entitled ?

The case was fixed for evidence of the management. After one more adjournment the parties appeared before me on 3rd July, 1979, and settled the case. Their statements were recorded by me and the same are reproduced below:—

*Statement of Shri Jai Ram, workman and Shri S. N. Solankhi.*

The Workman agrees to accept Rs. 800 in full and final settlement of all his claim dues and disputes against the company including the claim for reinstatement, re-employment and also dues on account of unpaid wages, wages in lieu of un-availed earned leave, bonus etc. etc. He shall not claim any dues or raise dispute of any kind what so ever against the management at any future time.

*Statement of Shri S. C. Malik and Shri S. S. Sethi for the representative of the management.*

“We have heard the statement of Shri Jai Ram and his representative and we accept the same.”

In view of the statement of the parties I answer this reference and give my award making the the statements of the parties apart of it.

Dated the 28th July 1979.

BABU RAM GOYAL,

Presidenting Officer,  
Labour Court, Haryana,  
Rohtak.

Endstt. No. 1868, dated 7th August 1979

Forwarded, (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industries Disputes Act, 1947.

**BABU RAM GOYAL,**

Presiding Officer,  
Labour Court Haryana,  
Rohtak.

**No. 11 (112) 79-3 Lab/8815.**—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the Management of M.S Diamond steel works, G.D. Modern Industrial Estate, Bahadurgarh.

**BEFORE SHRI BABU RAM GOYAL PRESIDING OFFICER, LABOUR COURT  
HARYANA, ROHTAK**

Reference No. 225 of 1978.

*Between*

**SHRI HARI PARKASH WORKMAN AND THE MANAGEMENT OF M/S. DIAMOND STEEL WORKS, 9-D, MODERN INDUSTRIAL ESTATE, BAHADURGARH.**

*Present:-*

Shri Rajinder Singh for the workman.

Shri M.M. Kaushal along with Shri Sardari Lal, Proprietor of the respondent management.

#### **AWARD**

By order No. ID/ SPT/ 81-78/ 35192, Dated 27.7.78, the Governor of Haryana referred the following dispute between the management of M/S. Diamond Steel Works, 9-D, Modern Industrial Estate, Bahadurgarh and its workman Shri Hari Parkash to this Court for adjudication in exercise of the powers conferred by Clause (c) of sub section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of service of Shri Hari Parkash was justified and in order ? If not, to what relief is he entitled ?”

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleading of the parties the following issues were framed by my learned predecessor on 8.2.1979:—

1. Whether the workman was appointed as a learner, if so to what effect ?
2. Whether the termination of service was justified and in order ?
3. Whether the workman was absent from 18.5.78 to 31.5.78 if so to what effect.
4. Relief.

And fixed the case for evidence of the management. on 12.7.79 parties arrived at a mutual settlement and made the following statement:—

**Statement of Shri Rajinder Singh, representative of the workman.**

The workman has settled his case with the management in full and final settlement of his claim and accounts and disputes for a sum of Rs.325/- The workman have received the same and no dispute is left and foregoes his right of rein statement or any other claim.

**Statement of Shri Sardari Lal, Proprietor of the management.**

“I have heard the statement of Sari Rajinder Singh which is true. The workman has taken a sum of Rs. 325/- in full and final settlement of his claim and by virtue of this settlement he foregoes his right of rein statement also.”

I, therefore, answer this reference and give no dispute award.

Dated the 28th July, 1979.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana  
Rohtak.

Endstt. No. 18369, dated 7 August 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112) 79-3Lab/10007.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s, Micro Enterprises Faridabad;

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD]

Reference [No. 132 of 1978]

between

SHRI RAM AUTAR SHARMA, WORKMAN AND THE MANAGEMENT OF M/S MICRO  
ENTERPRISES, FARIDABAD

Present.—

Shri P. K. De for the workman.  
Nemo for the management.

#### AWARD

By order No. ID 17823, dated the 10th May, 1978 the Governor of Haryana referred the following dispute between the management of M/s. Micro Enterprises, Faridabad and its workman Shri Ram Autar Sharma, to this Tribunal, for adjudication, in exercise of the powers conferred by Clause (d) of sub-section (I) of section 10 of the Industrial Disputes Act.

Whether the termination of services of Shri Ram Autar was justified and in order.  
If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. But thereafter the management did not appear on the last date fixed. Then ex-parte proceedings were ordered against the management. Lastly the representative for the workman, stated that he did not know the whereabouts of the workman and did not want that the reference be proceeded with. He prayed for filing the reference. In view of the statement of the representative for the workman, I give my award that the termination of services of the workman was justified and in order. He is not entitled to any relief.

NATHU RAM SHARMA,

Dated 8th August, 1979.

Presiding Officer,  
Industrial Tribunal Haryana,  
Faridabad.

No. 774, dated 16th August, 1979.]

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal Haryana,  
Faridabad.